

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

KASSER YOUSEF FAHKRI,)
Petitioner,)
v.)
DENIS C. RIORDAN,)
Respondent.)

CIVIL ACTION NO:
04-10982-NMG

NOTICE OF PETITIONER'S INTENT TO SELF-REMOVE

On July 7, 2004, I was contacted by a representative of the Bureau of Immigrations and Customs Enforcement ("ICE"). That individual, Joseph O'Malley, informed me that counsel for the Petitioner, Fred Tannous, had purchased airline tickets for the Petitioner to Lebanon on a flight scheduled to leave on Friday, July 9, 2004, and had requested that ICE allow for his release to self-deport. ICE intends to release the Petitioner so that he may leave the country.

On July 7, 2004, I spoke to an employee in the office of counsel for the Petitioner. That individual confirmed the above noted facts. I inquired whether the Petitioner intended to voluntarily dismiss the instant action. I was informed that counsel for the Petitioner would contact me later that day to discuss voluntary dismissal. As of July 8, 2004, at 12:00 p.m., I have not been contacted by Petitioner's counsel. I also attempted to contact counsel this afternoon.

It is customary for the Respondents to provide notice to the Court of any removal of an alien with a pending habeas action. As such, the Respondent's wish to provide notice that the Petitioner will be released from ICE custody and that Petitioner intends to leave the country on or about July 9, 2004.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

/s/ Mark J. Grady
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Certificate of Service

A copy of the above Notice was sent to counsel for the petitioner by fax this 8th day of July, 2004.

/s/ Mark J. Grady
Mark J. Grady